

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

WILLIAM M. BYRD,

Plaintiff,

v.

AVENTIS PHARMACEUTICALS, INC.  
and DEBRA EDMUNDs,

Defendants.

Civil Action No. 04-11032-DPW

**ASSENTED MOTION TO EXTEND TIME FOR PLAINTIFF TO  
RESPOND TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Plaintiff, William M. Byrd, with the assent of the Defendants, moves to extend the time in which Plaintiff must file a response to the Defendants' Motion for Summary Judgment ("Defendants' Motion") to and including, Friday, April 8, 2005. As grounds for this Motion the Plaintiff states as follows:

1. The Court transmitted the Defendants' Motion electronically to Plaintiff after hours (5:56 pm) on Friday, March 18, 2005, and counsel for Plaintiff did not receive it until Tuesday, March 22, 2005 because he was not in the office on Monday because of illness.

2. The present case involves nine (9) counts in the Complaint, and the additional time is necessary so the Plaintiff can appropriately respond to the Defendants' Motion.

3. Plaintiff has cooperated with Defendants by granting several extensions and has assented to motions filed by Defendants.

4. This is the first request of Plaintiff for an extension, and Defendants will not be prejudiced by the Court's granting of this Motion.

WHEREFORE, Plaintiff respectfully requests that this Court grant his Motion To Extend Time For Plaintiff To Respond To Defendants' Motion For Summary Judgment.

Respectfully submitted,

WILLIAM M. BYRD,

By his attorneys,

\s\ John C. Koslowsky  
John C. Koslowsky  
BBO No. 561616  
Flavin & Koslowsky  
424 Adams Street  
Milton, MA 02186  
(617) 698-3000

Dated: March 30, 2005

Assented To:

\s\ Samia M. Kirmani  
Samia M. Kirmani (BBO#634699)  
Jackson Lewis LLP  
75 Park Plaza  
Boston, MA 02116  
(617) 367-0025

2002-17P